

UNITED STATES DISTRICT COURT

for the

Central District of Utah

Utah Physicians for a Healthy Environment)

v.)

Diesel Power Gear, LLC et al.)

Case No.: 2:17-cv-32 RJS-DBP)

BILL OF COSTSJudgment having been entered in the above entitled action on 3/10/2020 against Defendants,
Date

the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$ <u>900.00</u>
Fees for service of summons and subpoena.....	<u>960.50</u>
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case	<u>4,798.60</u>
Fees and disbursements for printing	<u>0.00</u>
Fees for witnesses (<i>itemize on page two</i>)	<u>195.00</u>
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case.	<u>367.62</u>
Docket fees under 28 U.S.C. 1923.....	<u>0.00</u>
Costs as shown on Mandate of Court of Appeals	<u>0.00</u>
Compensation of court-appointed experts	<u>0.00</u>
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	<u>0.00</u>
Other costs (<i>please itemize</i>)	<u>0.00</u>
TOTAL	\$ <u>7,221.72</u>

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.**Declaration**

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

☒ Electronic service ☐ First class mail, postage prepaid☐ Other: _____s/ Attorney: Reed ZarsName of Attorney: Reed ZarsFor: Utah Physicians for a Healthy Environment Date: 10/21/2020
*Name of Claiming Party***Taxation of Costs**

Costs are taxed in the amount of _____ and included in the judgment.

By: _____

*Clerk of Court**Deputy Clerk**Date*

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)							
NAME , CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
Chad Hofer, Parker, South Dakota	1						\$85
Brett Van Der Brink, Tea, South Dakota	1						\$65.00
Travis Hanson, Washington, Utah	1						\$45.00
					TOTAL		\$195.00

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

Witness Fees

Item	Date	Amount
Hofer witness fee – SD	10/26/17	85.00
VanDerBrink witness fee – SD	11/4/17	65.00
Hansen witness fee – UT	11/22/17	45.00
TOTAL		\$195.00

AO 88A (Rev. 02/14) Subpoena to Testify at a Deposition in a Civil Action (Page 2)

Civil Action No. 2:17-cv-00032-RJS

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (name of individual and title, if any) Travis Hansen
 on (date) 11/28/17.
☒ I served the subpoena by delivering a copy to the named individual as follows: Travis Vance Hansen

_____ on (date) _____; or


☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
 tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
 \$ _____ \$45.00 .

My fees are \$ 17.50 for travel and \$ 20.00 for services, for a total of \$ 37.50 .

I declare under penalty of perjury that this information is true.

Date: 11/28/17


 Server's signature
Steven Despain Deputy Sheriff
 Printed name and title

150620S. 5300 W Hurricane, Utah 84737
 Server's address

Additional information regarding attempted service, etc.:

AO 88A (Rev. 02/14) Subpoena to Testify at a Deposition in a Civil Action

UNITED STATES DISTRICT COURT

for the
Central District of UtahUtah Physicians for a Healthy Environment*Plaintiff*

v.

Diesel Power Gear LLC, et al.*Defendant*

Civil Action No. 2:17-cv-00032-RJS

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: Mr. Travis Hansen, 1369 Lexington St., Washington UT 84780
Work: Travis' Window and Blind Cleaning, Tel: 435-632-6704*(Name of person to whom this subpoena is directed)*

☒ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:
See Exhibit A.

Place: Dixie Reporting, inside Brad Harr Law Office, 661
E. St. George Blvd., Ste. 102, St. George, UT 84770

Date and Time: December 7, 2017 10 a.m.

The deposition will be recorded by this method: Certified court reporter, verbatim transcription.

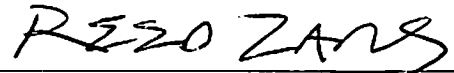
☒ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:
See Exhibit A.

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(c) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 11/22/2017

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk**Attorney's signature*The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* UPHE

Reed Zars, 910 Kearney St., Laramie, WY 82070, reed@zarslaw.com, who issues or requests this subpoena, are:
Tel: 307-760-6268, representing Plaintiff Utah Physicians for a Healthy Environment.

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)**(c) Place of Compliance.**

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena: Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
 - (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
 - (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
 - (iv) subjects a person to undue burden.
- (B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

Exhibit A

(1) This subpoena establishes the date and time for your deposition as **December 7, 2017 at 10:00 a.m.** If an earlier date would be more convenient for you, please contact Plaintiff's counsel.

(2) On December 7, 2017, please be prepared to testify regarding the following matters: (a) your inspection and purchase in 2014 of a green 2013 Ford diesel F-250 4X4 truck, VIN 1FT7W2BT2DEA61696, (b) your understanding of the features and condition of this truck when you purchased it, including its performance and emissions equipment, (c) your use and maintenance of the truck, (d) any modifications you made, or caused to be made to the truck during your period of ownership, including any modifications to its performance and emissions equipment, and (e) your sale of the truck.

(3) Please produce at the time, date and location of the deposition, in hard copy or in electronic form, all bills of sale (or equivalent records) in your possession or control related to the truck identified above.

(4) The deposition is not expected to exceed one hour. Please contact Plaintiff's counsel or, if you are represented by an attorney, have your attorney contact Plaintiff's counsel with any questions or concerns. Reed Zars, 307-760-6268, reed@zarslaw.com.

Reed Zars
Attorney at Law
910 Kearney Street
Laramie, WY 82070
307-760-6268

November 1, 2017

Lincoln County Sheriff's Office
129 N. Main St.
Canton, SD 57013

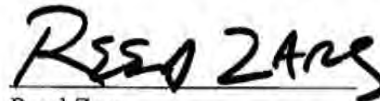
RE: Van Der Brink Subpoena – witness fee check

Dear Sheriff,

Please find enclosed a subpoena for Brett Van Der Brink, and my witness fee and mileage check to Mr. Van Der Brink of \$65. Both the check and subpoena are to be served personally on Mr. Van Der Brink.

Please give me a ring once you are in receipt of this letter and check. Thank you very much for your help.

Yours Sincerely,


Reed Zars

AO 88A (Rev. 02/14) Subpoena to Testify at a Deposition in a Civil Action (Page 2)

Civil Action No. 2:17-cv-00032-RJS

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for (name of individual and title, if any) Chad Hofer
on (date) 10-27-17.

☒ I served the subpoena by delivering a copy to the named individual as follows: Chad Hofer
personally picked up paperwork at the Turner County Sheriff's Office
on (date) 10/27/17; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ 85.00.

My fees are \$ 0.00 for travel and \$ 20.00 for services, for a total of \$ 20.00.

I declare under penalty of perjury that this information is true.

Date: 10/27/17

 #130
Server's signature
Tricia Erickson; Administrative Deputy
Printed name and title

400 S Main Ave; PO Box 580 Parker SD 57053
Server's address

Additional information regarding attempted service, etc.:

UNITED STATES DISTRICT COURT

Return # 6601Process # C17-00702Docket # 2:17-cv-00032-RJSReference #UTAH PHYSICIANS FOR A HEALTHY
ENVIRONMENT

Plaintiff,

- VS -

DIESEL POWER GEAR LLC. ET AL.

Defendant

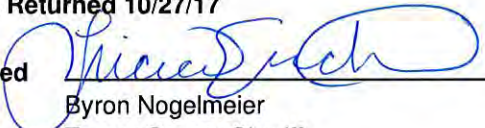
SHERIFF'S RETURN OF PERSONAL SERVICE

I, Byron Nogelmeier, Sheriff of Turner County, South Dakota, hereby certify that on the **27th day of October, 2017, a Subpoena to Testify at a Deposition in a Civil Action; Exhibit A; Check #4256 for \$85.00 for witness fee & mileage**, in the above entitled action, came into my hand for service. That on the **27th day of October, 2017 at 1:43 PM**, in said county, **I did serve the documents on CHAD HOFER**. By then and there delivering to and leaving with: **HOFER, CHAD (personally) at 400 S Main Ave, Parker, SD 57053**

Item	Disburse To	Amount Owed	Amount Paid
Civil papers/Subpoena Fee	TURNER COUNTY TREASURER	\$20.00	\$0.00
		Total Owed	\$20.00
		Total Paid	\$0.00
		Uncollectible	\$0.00
		Remaining	\$20.00

Invoice # 17-02275
 REED ZARS; ATTORNEY AT LAW
 910 Kearney St, Laramie, WY 82070

Comments**Date Returned 10/27/17****Signed**


 Byron Nogelmeier
 Turner County Sheriff
 By: Deputy Tricia Erickson
 400 S Main Ave
 PO Box 580
 Parker, SD 57053
 Phone: (605) 297-3225
 Fax: (605) 297-3871

Date10.27.17

Office of the Turner County Sheriff

Invoice

Printed on October 27, 2017

Please remit payment to the address below.

Billed To REED ZARS; ATTORNEY AT LAW
910 Kearney St
Laramie, WY 82070

Please Remit Payment To:
Turner County Sheriff
PO Box 580
Parker, SD 57053

Reference Civil Papers C17-00702; Serve On: HOFER, CHAD
Return # 6601
Invoice # 17-02275
Invoice Date 10/27/17
Due Date 11/26/17

Item	Disburse To	Amount Owed	Amount Paid
Civil papers/Subpoena Fee	TURNER COUNTY TREASURER	\$20.00	\$0.00
		Total Owed	\$20.00
		Total Paid	\$0.00
		Uncollectible	\$0.00
		Remaining	\$20.00

Comments

Turner County Sheriff's Office
400 S Main Ave
PO Box 580
Parker, SD 57053
Phone: (605) 297-3225
Fax: (605) 297-3871

Fees for printed or electronically recorded transcripts

Item	Date	Amount
Deposition transcripts – Pledger, Hoskins, Sparks, Stuart, Kiley	9/15/17	2,155.10
Dixie reporting – Hansen depo	12/2/17	198.70
Van Der Brink depo transcript	1/1/18	237.00
Transcript of 1/23/18 summary judgment ruling	2/1/2018	130.95
Remainder of transcript of summary judgment hearing	7/31/18	292.00
Trial transcripts	1/3/2020	1,784.85
TOTAL		\$4,798.60

Q & A REPORTING
1872 South Main Street
Salt Lake City, UT 84115
Phone: 801-484-2929



Q & A REPORTING, INC.

INVOICE

ATTORNEY AT LAW
ATTN: Mr. Reed Zars
910 Kearney Street
Laramie, WY 82070

Invoice Number: **102750**
Invoice Date: 08/10/2017

In Re: Utah Physicians for a Healthy Environment
Case Number: 2:17-cv-00032-RJS
Witness(s): 8:30-Heather Pledger, 11:00-Hans Peterson
Attendance Date: 08/04/2017, 8:00am
Reporter: Scott Knight

Description	Rate	Ext
Full Day Appearance Fee	160.00	160.00
Original Transcript(s) - Electronic	3.55	365.65
Exhibits	0.15	17.85
Postage & Handling	10.00	10.00

Invoice Total: 553.50

We Appreciate Your Business

EIN: 82-0580775

Net 30 days. Please return one copy of invoice with payment to ensure proper credit to your account.
Accounts past due are subject to a 1.5% interest charge per month.

Thank you for using Q&A Reporting.

REED ZARS 910 KEARNEY ST. LARAMIE, WY 82070		82-123 25 1070	4240
		DATE 9/15/17	
PAY TO THE ORDER OF Q & A REPORTING		\$ 2,155.10	
TWENTY ONE HUNDRED AND FIFTY-FIVE		DOLLARS Security Features Included. Details on Back.	
ANB Bank www.anbbank.com Telephone 1-866-433-0282		Classic 50 And 10/xx REED ZARS	
MEMO		MP	
1070012321		04240	

Q & A REPORTING
1872 South Main Street
Salt Lake City, UT 84115
Phone: 801-484-2929



Q & A REPORTING, INC.

INVOICE

ATTORNEY AT LAW
ATTN: Mr. Reed Zars
910 Kearney Street
Laramie, WY 82070

Invoice Number: **102895**
Invoice Date: 09/07/2017

In Re: Utah Physicians for a Healthy Environment v. DIESELSellerz.com
Case Number: 2:17-cv-00032-RJS
Witness(s): 8:00-Keaton Hoskins & 11:00-David Sparks
Attendance Date: 08/22/2017, 8:00am
Reporter: Dawn Brunner-Hahn

Description	Rate	Ext
Full Day Appearance Fee	160.00	160.00
Original Transcript(s) - Electronic	3.55	777.45
Exhibits	0.15	22.50
Postage & Handling	15.00	15.00

Invoice Total: 974.95

We Appreciate Your Business

EIN: 82-0580775

Net 30 days. Please return one copy of invoice with payment to ensure proper credit to your account.
Accounts past due are subject to a 1.5% interest charge per month.

Thank you for using Q&A Reporting.

Q & A REPORTING
1872 South Main Street
Salt Lake City, UT 84115
Phone: 801-484-2929



INVOICE

ATTORNEY AT LAW
ATTN: Mr. Reed Zars
910 Kearney Street
Laramie, WY 82070

Invoice Number: 102897
Invoice Date: 09/07/2017

In Re: Utah Physicians for a Healthy Environment v. DIESELSellerz.com
Case Number: 2:17-cv-00032-RJS
Witness(s): 8:00-Joshua Stewart & 11:00-David Kiley
Attendance Date: 08/23/2017, 8:00am
Reporter: Dawn Brunner-Hahn

Description	Rate	Ext
Full Day Appearance Fee	160.00	160.00
Original Transcript(s) - Electronic	3.55	436.65
Exhibits	0.15	15.00
Postage & Handling	15.00	15.00
Invoice Total:		626.65

We Appreciate Your Business

EIN: 82-0580775

Net 30 days. Please return one copy of invoice with payment to ensure proper credit to your account.
Accounts past due are subject to a 1.5% interest charge per month.

Thank you for using Q&A Reporting.



COURT REPORTING, INC.

DIXIE COURT REPORTING
Post Office Box 2702
St. George, UT 84771

INVOICE

Invoice Number: 200172
Invoice Date: 12/13/2017

ZARS LAW
ATTN: Reed Zars
910 Kearney Street
Laramie, WY 82070

In Re: Utah Physicians for a Healthy Environment vs. Diesel Power Gear, LLC, et al.
Case Number: 2:17-cv-00032-RJS
Witness(s): Travis Hansen
Attendance Date: 12/07/2017, 10:00am

Qty	Description	Ext
1	Deposition Appearance Fee Half	100.00
	Travis Hansen	82.80
23	Original & One Trans	1.00
2	Exhibits (Color)	1.50
5	Exhibits (B&W)	1.40
7	Exhibits (Scanned)	12.00
1	Postage & Handling	
Invoice Total:		198.70

We Appreciate Your Business!

Tax ID: 84-1371760

PD 12/22/17

Invoice

PRAIRIE REPORTING
P.O. BOX 2008
SIOUX FALLS, SD 57101
(605) 321-4906

DATE	INVOICE #
1/2/2018	4785

BILL TO	CASE CAPTION
Reed Zars Zars Law 910 Kearney Street Laramie, WY 82070	Utah Physicians for a Healthy Envir. v Diesel Power

JOB DATE	TAX ID NUMBER
12/14/2017	45-4603560

DESCRIPTION		AMOUNT
Original and 1 Copy of the Telephonic Deposition of Brett Van Der Brink		117.00
Appearance Fee		100.00
Exhibit Scanning, Linking and Mailing Back to Witness		20.00
Thank you for your business! Stacy L. Wiebesiek, RPR, CSR - Owner Prairie Reporting	Subtotal	237.00
	6.5% Tax	0.00
	Total	237.00

Invoice

PRAIRIE REPORTING
P.O. BOX 2008
SIOUX FALLS, SD 57101
(605) 321-4906

DATE	INVOICE #
1/2/2018	4785

BILL TO	CASE CAPTION
Reed Zars Zars Law 910 Kearney Street Laramie, WY 82070	Utah Physicians for a Healthy Envir. v Diesel Power

JOB DATE	TAX ID NUMBER
12/14/2017	45-4603560

DESCRIPTION	AMOUNT
Original and 1 Copy of the Telephonic Deposition of Brett Van Der Brink	117.00
Appearance Fee	100.00
Exhibit Scanning, Linking and Mailing Back to Witness	20.00
Thank you for your business! Stacy L. Wiebesiek, RPR, CSR - Owner Prairie Reporting	Subtotal 237.00 6.5% Tax 0.00 Total 237.00

pd 1/10/18

REED ZARS
910 KEARNEY ST.
LARAMIE, WY 82070

82-123
1070-25
DATE 1/10/18 4296

PAY TO PRAIRIE REPORTING \$ 237.00
THE ORDER OF TWO HUNDRED + THIRTY SEVEN DOLLARS

ANB Bank
www.anbbank.com
Telephone 1-866-433-0282

MEMO VDB 0340 REED ZARS MP

1070012321 04296

AO 44 (Rev. 07/15)

UNITED STATES DISTRICT COURT

for the

_____ District of _____

INVOICE

NUMBER

TO:

MAKE CHECK PAYABLE TO:

PHONE: _____

PHONE: _____

FAX: _____

TRANSCRIPTS☐ CRIMINAL☐ CIVIL

DATE ORDERED

DATE DELIVERED

IN THE MATTER OF (CASE NUMBER AND TITLE)

CHARGES

CATEGORY	ORIGINAL			1 ST COPY			ADDITIONAL COPIES			TOTAL CHARGES
	PAGES	PRICE @	SUB TOTAL	PAGES	PRICE @	SUB TOTAL	PAGES	PRICE @	SUB TOTAL	
Ordinary			\$ 0.00			\$ 0.00			\$ 0.00	\$ 0.00
14-Day			\$ 0.00			\$ 0.00			\$ 0.00	\$ 0.00
Expedited			\$ 0.00			\$ 0.00			\$ 0.00	\$ 0.00
Daily			\$ 0.00			\$ 0.00			\$ 0.00	\$ 0.00
Hourly			\$ 0.00			\$ 0.00			\$ 0.00	\$ 0.00
Realtime			\$ 0.00			\$ 0.00				\$ 0.00
For proceedings on (Date):						TOTAL				\$ 0.00
						LESS DISCOUNT FOR LATE DELIVERY				\$
						ADD AMOUNT OF DEPOSIT				\$
						AMOUNT DUE (OR REFUND)				\$ 0.0

ADDITIONAL INFORMATION

Full price may be charged only if the transcript is delivered within the required time frame. For example, if an order for expedited transcript is not completed and delivered within (7) calendar days, payment would be at the 14-day *delivery* rate, and if not completed and delivered within 14 days, payment would be at the ordinary delivery rate.

CERTIFICATION

I certify that the transcript fees charged and page format used comply with the requirements of this court and the Judicial Conference of the United States.

SIGNATURE OF OFFICIAL COURT REPORTER

DATE

DISTRIBUTION: TO PARTY (2 copies - 1 to be returned with payment)

COURT REPORTER

COURT REPORTER SUPERVISOR

AO 44 (Rev. 04/18)

UNITED STATES DISTRICT COURTfor the
District of Utah**INVOICE**

NUMBER

TO: Reed Zars
ATTORNEY AT LAW
910 KEARNEY ST
LARAMIE, WY 82070

PHONE: _____

FAX: _____

MAKE CHECK PAYABLE TO:

Laura Winn Robinson
351 South West Temple Room 8.430
Salt Lake City, Utah 84101

PHONE: (801) 328-4800

TRANSCRIPTS

CRIMINAL



CIVIL

DATE ORDERED

DATE DELIVERED

07/31/2018

IN THE MATTER OF (CASE NUMBER AND TITLE)

Utah Physicians for A Healthy Environment v DieselSellerz.com, et al, 2:17-CV-32

CHARGES

CATEGORY	ORIGINAL			1 ST COPY			ADDITIONAL COPIES			TOTAL CHARGES
	PAGES	PRICE @	SUB TOTAL	PAGES	PRICE @	SUB TOTAL	PAGES	PRICE @	SUB TOTAL	
Ordinary	80	3.65	292.00		0.90	0.00			0.00	292.00
14-Day		4.25	0.00			0.00			0.00	0.00
Expedited		4.85	0.00			0.00			0.00	0.00
3-Day		5.45	0.00		1.05	0.00			0.00	0.00
Daily		6.05	0.00		1.20	0.00			0.00	0.00
Hourly		7.25	0.00		1.20	0.00			0.00	0.00
Realtime			0.00			0.00				0.00
For proceedings on (Date): January 23, 2018						TOTAL				292.00
Transcript of hearing held January 23, 2018 before the Honorable Robert Shelby						LESS DISCOUNT FOR LATE DELIVERY				
						ADD AMOUNT OF DEPOSIT				
						AMOUNT DUE (OR REFUND)				292.00

ADDITIONAL INFORMATION

Full price may be charged only if the transcript is delivered within the required time frame. For example, if an order for expedited transcript is not completed and delivered within (7) calendar days, payment would be at the 14-day *delivery* rate, and if not completed and delivered within 14 days, payment would be at the ordinary delivery rate.

CERTIFICATION

I certify that the transcript fees charged and page format used comply with the requirements of this court and the Judicial Conference of the United States.

SIGNATURE OF OFFICIAL COURT REPORTER

Laura Winn Robinson

DATE

07/31/2018

DISTRIBUTION: TO PARTY (2 copies - 1 to be returned with payment)

COURT REPORTER

COURT REPORTER SUPERVISOR

AO 44 (Rev. 04/18)

UNITED STATES DISTRICT COURT

for the

_____ District of _____

INVOICE

NUMBER

TO:

MAKE CHECK PAYABLE TO:

PHONE: _____

PHONE: _____

FAX: _____

TRANSCRIPTS☐ CRIMINAL☐ CIVIL

DATE ORDERED

DATE DELIVERED

IN THE MATTER OF (CASE NUMBER AND TITLE)

CHARGES

CATEGORY	ORIGINAL			1 ST COPY			ADDITIONAL COPIES			TOTAL CHARGES
	PAGES	PRICE @	SUB TOTAL	PAGES	PRICE @	SUB TOTAL	PAGES	PRICE @	SUB TOTAL	
Ordinary										
14-Day										
Expedited										
3-Day										
Daily										
Hourly										
Realtime										
For proceedings on (Date):						TOTAL				
						LESS DISCOUNT FOR LATE DELIVERY				
						ADD AMOUNT OF DEPOSIT				
						AMOUNT DUE (OR REFUND)				

ADDITIONAL INFORMATION

Full price may be charged only if the transcript is delivered within the required time frame. For example, if an order for expedited transcript is not completed and delivered within (7) calendar days, payment would be at the 14-day *delivery* rate, and if not completed and delivered within 14 days, payment would be at the ordinary delivery rate.

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I certify that the transcript fees charged and page format used comply with the requirements of this court and the Judicial Conference of the United States.

SIGNATURE OF OFFICIAL COURT REPORTER

DATE

DISTRIBUTION: TO PARTY (2 copies - 1 to be returned with payment)

COURT REPORTER

COURT REPORTER SUPERVISOR

E-INVOICE

Date: January 3, 2020

To: REED ZARS
910 Kearney Street
Laramie, Wyoming
reed@zarslaw.com

Remit to: Ed Young
Court Reporter
351 South West Temple
Room 3.302
Salt Lake City, Utah 84101-2180
801-328-3202
ed_young@utd.uscourts.gov

In re: UTAH PHYSICIANS FOR A HEALTHY
ENVIRONMENT,
vs.
DIESELSELLERZ, et al.
2:17-CV-32RJS
JUDGE ROBERT J. SHELBY

November 5, 2019 Bench Trial
Pages 1-175
175 pages @ \$3.65 \$638.75

November 25, 2019 Bench Trial
Pages 273-490
217 pages @ \$3.65 \$792.05

Total \$1,430.80

THANK YOU!

Fees for Service of Summons and Subpoena

Item	Date	Amount
Service of complaint 4X4 - Constable	1/13/17	20.00
Service of complaint DPG - Constable	1/13/17	20.00
Service of complaint Sparts Mot. - Constable	1/13/17	20.00
Service of complaint David Sparks - Constable	1/13/17	20.00
Service of complaint Stuart - Constable	1/23/17	72.00
Service of complaint Hoskins - Constable	1/13/17	60.00
Service of complaint Sellerz - Constable	1/11/17	47.50
Service of complaint Kiley - Constable	1/19/17	60.00
Cheyenne Lord service fees - Valleywide -- AZ	10/9&13/17	150.00
Hofer service and witness fees - SD	10/26/17	20.00
VanDerBrink Lincoln County Sheriff subpoena service	11/7/17	44.00
Hansen subpoena service fee	11/28/17	37.50
VanDerBrink Lincoln County Sheriff subpoena service	11/20/17	44.00
Constable - iDrive and Indust. Inject. service fees	12/2/17	134.00
Trial subpoenas for David Sparks	12/18/19	211.50
TOTAL		\$960.50



Statement - Nov 20, 2019

CONSTABLE REITZ, SALT LAKE COUNTY CONSTABLE

7026 South Commerce Park Drive #101 Midvale, UT 84047

(801) 255-5468

info@constablereitz.com

checkservice@constablereitz.com

http://www.constablereitz.com

Reed Zars, Attorney at Law *
910 Kearney Street
Laramie, WY

Route: 01

Docket #	Ref #	Invoice Date	Case #	Case Name	Serve To	Documents	Days Past Due	Amount	Payment	Balance Due
712530	712530	Nov 4, 2019	2:17-cv-00032-RJS-DBP	Utah Physicians for a Healthy vs Diesel Power Gear, LLC et al.	David W. Sparks	Subpoena to Appear And Testify	1	\$38.50		\$38.50
712529	712529	Nov 5, 2019	2:17-cv-00032-RJS-DBP	Utah Physicians for a Healthy vs Diesel Power Gear, LLC et al.	David W. Sparks	Subpoena to Appear And Testify		\$38.50		\$38.50
712528	712528	Nov 5, 2019	2:17-cv-00032-RJS-DBP	Utah Physicians for a Healthy vs Diesel Power Gear, LLC et al.	David W. Sparks	Subpoena to Appear And Testify		\$78.50		\$78.50
712949	712949	Nov 15, 2019	2:17-cv-32-RJS-DBP	Utah Physicians for a Healthy vs Diesel Power Gear, et al	Sadler, Gibb & Associates, LLC	Subpoena to Produce Documents, Information, or Objects or to Permit		\$56.00		\$56.00

Subtotal for : \$211.50

TOTAL DUE: \$211.50



ROBERT J. REITZ, SALT LAKE COUNTY CONSTABLE

7026 South Commerce Park Drive #101 Midvale, UT 84047

(801) 255-5468

info@constablereitz.com

checkservice@constablereitz.com

http://www.constablereitz.com

Meghan Dutton Law PLLC *
 1124 East Tulane Circle
 Sandy, Ut 84094

Route: 01
 (801)673-2300

Docket: 693278

Received: 12/11/2017

Court Date: 12/28/2017 at 2:00 PM

Reference: 693278

Case No.: 2-17-cv-00032 ROS

Date Completed: 12/11/2017 at 3:50 PM

Plaintiff: Utah Physicians for a Health Environment

Defendant: Diesel Power Gear, et al.

Serve To: Industrial Injecton Services Inc.

Location: 3165 E. Millrock Suite #500, Salt Lake City, UT 84121

Documents	Qty	Cost Per Unit	Total
Subpoena To Produce Documents	1	\$20.00	\$20.00
Mileage @ \$2.00	15	\$2.00	\$30.00
Rush Service	1	\$20.00	\$20.00
Subtotal:			\$70.00
Additional Fees:			
Total:			\$70.00
Total Payment(s):			
Balance Due:			\$70.00

Thank You!

Payment due net 15 days. Make check payable to Constable Reitz and mail it to the address above. There is a \$25.00 fee for checks that are returned for non-sufficient funds.

FEIN: 87-0512666

Date Invoiced: 12/12/2017



ROBERT J. REITZ, SALT LAKE COUNTY CONSTABLE

7026 South Commerce Park Drive #101 Midvale, UT 84047

(801) 255-5468

info@constablereitz.com

checkservice@constablereitz.com

http://www.constablereitz.com

Meghan Dutton Law PLLC *
 1124 East Tulane Circle
 Sandy, Ut 84094

Route: 01
 (801)673-2300

Docket: 693277

Received: 12/11/2017

Court Date: 12/28/2017 at 2:00 PM

Reference: 693277

Case No.: 2-17-cv-00032 ROS

Date Completed: 12/11/2017 at 3:55 PM

Plaintiff: Utah Physicians for a Health Environment

Defendant: Diesel Power Gear, et al.

Serve To: IDRIVE UTAH, LLC

Location: 6879 South 700 West, Ste 6, Midvale, UT 84047

Documents	Qty	Cost Per Unit	Total
Subpoena To Produce Documents	1	\$20.00	\$20.00
Mileage @ \$2.00	12	\$2.00	\$24.00
Rush Service	1	\$20.00	\$20.00
Subtotal:			\$64.00
Additional Fees:			
Total:			\$64.00
Total Payment(s):			
Balance Due:			\$64.00

Thank You!

Payment due net 15 days. Make check payable to Constable Reitz and mail it to the address above. There is a \$25.00 fee for checks that are returned for non-sufficient funds.

FEIN: 87-0512666

Date Invoiced: 12/12/2017

RECEIPT - Washington County Sheriff

035241

☐ PRISONER'S MONEY

☐ BAIL / SPECIFY COURT

☐ CIVIL SERVICE

☐ OTHER - EXPLAIN:

12-3421-000001

Received From Reed Tarrs, Attorney

Address ck # 4272

Amount Thirty-seven and 50/100 \$ 37.50

For Subpoena - Travis Hansen

ck # 5031 By Rachel Anering

Date 11/28/17

11/29/17
09:32

Washington County Sheriff's Office
Statement of Process Costs

5017
Page: 1

Responsible Party:

REED ZARS, ATTORNEY AT LAW
910 KEARNEY STREET
Laramie, WY 82070

[Process Number: 50391
[Court Case No.: 2:17-cv-00032-RJS
[SUBPEONA

UTAH PHYSICIANS FOR A HEALTHY ENVIORN (Plaintiff)

DIESEL POWER GEAR LLC (Defendant)

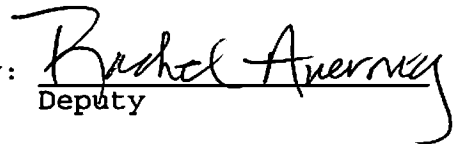
TRAVIS VANCE HANSEN (Witness)
1369 N LEXINGTON ST Washington, UT 84780

Date	Seq	Docno	Typ	Description	Amount
11/29/17	1	1	CHG	7 miles @2.50	17.50
11/29/17	2	2	CHG	SUBPEONA	20.00
11/28/17	3	13174	CR	CK #4272; RCT #35241	-37.50
FINAL REFUND DUE :					0.00

I hereby certify that the refund due is correct and payable. If not contacted within ten days, this statement will be considered correct.

Cory Pulsipher, Sheriff
Washington County Sheriff
750 S 5300 W
Hurricane, Utah 84737

By:


Deputy

11/27/17
10:45Washington County Sheriff's Office
Civil Process Service Worksheet5017
Page: 1

PROCESS:

Process Number : 50391
Agency : WCSO
Date Issued : 11/22/17
Expiration Date: 12/07/17
Date Returned : **/**/**Tm/Dt Receivd: 10:37:18 11/27/17
Court Case No: 2:17-cv-00032-RJS
Court Code : USDC Copies: 2
Court Date : 12/07/17
Judge Name :

UTAH PHYSICIANS FOR A HEALTHY ENVIOR vs. DIESEL POWER GEAR LLC

Plaintiff

Defendant

PAPERS TO SERVE: SUBPEONA

** Please complete the additional Proof of Service highlighted areas*PERSON TO SERVE: TRAVIS VANCE HANSEN (Witness)
Address : 1369 W LEXINGTON ST
City, State, Zp: Washington, UT 84780
Birth Date : 04/12/84Phone: (435) 632-6704
Alert Codes:

OFFICER ASSIGNED:

Disposition: ACT Location:

SERVICE REQUIREMENTS:
(none)

SERVICE ATTEMPTS:

Time Date Miles Officer Misc. Comments

Time	Date	Miles	Officer	Misc. Comments

COMPLETED SERVICE:

Time: Date: 11/28/17 Miles: Officer: W# 438

Addr: 1369 W Lexington St Location:

City: Washington St: UT Zip: 84737

Who Served: Travis Hansen Relationship:

Comments:

SECOND JUDICIAL CIRCUIT

Return # 10849Process # C17-01684Docket # 2:17-cv-00032-RJSReference # Subpoena #2STATE OF SOUTH DAKOTA
COUNTY OF LINCOLNUtah Physicians For A Healthy Environment

Plaintiff,

- vs -

Defendant

SHERIFF'S RETURN OF PERSONAL SERVICE

I, **Scott Gaalswyk**, Lincoln County Sheriff's Office, South Dakota, hereby certify that on the **16th day of November, 2017**, a **Subpoena**, in the above entitled action, came into my hand for service. That on the **17th day of November, 2017 at 8:59 AM**, in said county, I did serve the documents on **Brett Vanderbrink**.

Item	Amount Owed	Amount Paid
Mileage Fee	\$24.00	\$0.00
Subpoena Fee	\$20.00	\$0.00
	Total Owed	\$44.00
	Total Paid	\$0.00
	Uncollectible	\$0.00
	Remaining	\$44.00

Invoice # 17-05924
Reed Zars Attorney At Law
910 Kearney St., Laramie, WY 82070

Comments

Date Returned 11/20/17

Signed


Deputy Scott Gaalswyk
Lincoln County Sheriff's Office
128 N Main St
Canton, SD 57013
Phone: (605) 764-5651
Fax: (605) 764-2767

Date

11-20-17

PD
11/30/17

SECOND JUDICIAL CIRCUIT

Return # 10804Process # C17-01624Docket #Reference #STATE OF SOUTH DAKOTA
COUNTY OF LINCOLNUtah Physicians For A Healthy Environment

Plaintiff,

- vs -

Diesel Power Gear LLC, Et Al.

Defendant

SHERIFF'S RETURN OF PERSONAL SERVICE

I, **Scott Gaalswyk**, Lincoln County Sheriff's Office, South Dakota, hereby certify that on the **2nd day of November, 2017**, a **Subpoena**, in the above entitled action, came into my hand for service. That on the **2nd day of November, 2017 at 11:00 AM**, in said county, I did serve the documents on **Brett Vanderbrink**.

Item	Amount Owed	Amount Paid
Mileage Fee	\$24.00	\$0.00
Subpoena Fee	\$20.00	\$0.00
	Total Owed	\$44.00
	Total Paid	\$0.00
	Uncollectible	\$0.00
	Remaining	\$44.00

Invoice # 17-05831
Reed Zars Attorney At Law
910 Kearney St., Laramie, WY 82070

Comments

Date Returned 11/6/17

Signed


Deputy Scott Gaalswyk
Lincoln County Sheriff's Office
128 N Main St
Canton, SD 57013
Phone: (605) 764-5651
Fax: (605) 764-2767

Date

11-6-17

Valleywide Process Service
14215 N. 20th Way
Phoenix, AZ 85022
(602) 262-2555

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF UTAH

UTAH PHYSICIANS FOR A HEALTHY
ENVIRONMENT,

Plaintiff,

vs.

DIESEL POWER GEAR LLC, ET. AL.,

Defendant.

) Case No: 2:17-cv-00032-RJS

) Production Date: Nov. 3, 6 or 8, 2017

) DECLARATION OF DELIVERY BY

) PRIVATE PROCESS SERVER

Jack Cox upon his oath and personal knowledge states as follows:

1. I am over twenty one years of age, suffer no legal disabilities and I am licensed in Maricopa County as a private process server;
2. On October 27, 2017 at 3:18 p.m. I delivered to CHEYENNE LORD at 2301 E. Yeager Dr Ste #2 in Chandler, Arizona the Subpoena to Produce Documents, Information or Objects, or Permit Inspection of Premises in a Civil Action; Federal Rules of Civil Procedure; Exhibit filed with/issued by this Honorable Court in this matter by delivery to Lisa Vaughn, stated authorized to accept this Subpoena on behalf of Mr. Cheyenne Lord;
3. Lisa Vaughn: C, F, 50's ish, 5'5"ish, medium plus build, brown hair;
4. The fee for this service was \$60.00.

I swear under penalty of perjury pursuant to the laws of the United States of America this 28th day of October, 2017 that the foregoing is true and correct.



Jack Cox

AO 88A (Rev. 02/14) Subpoena to Testify at a Deposition in a Civil Action (Page 2)

Civil Action No. 2:17-cv-00032-RJS

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (name of individual and title, if any) Chad Hofer
 on (date) 10-27-17.

☒ I served the subpoena by delivering a copy to the named individual as follows: Chad Hofer
personally picked up paperwork at the Turner County Sheriff's Office
 on (date) 10/27/17; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
 tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
 \$ 85.00.

My fees are \$ 0.00 for travel and \$ 20.00 for services, for a total of \$ 20.00.

I declare under penalty of perjury that this information is true.

Date: 10/27/17

 #130
 Server's signature
Tricia Erickson; Administrative Deputy
 Printed name and title

400 S Main Ave; PO Box 580 Parker SD 57053
 Server's address

Additional information regarding attempted service, etc.:

UNITED STATES DISTRICT COURT

Return # 6601Process # C17-00702Docket # 2:17-cv-00032-RJSReference #UTAH PHYSICIANS FOR A HEALTHY
ENVIRONMENT

Plaintiff,

- VS -

DIESEL POWER GEAR LLC. ET AL.

Defendant

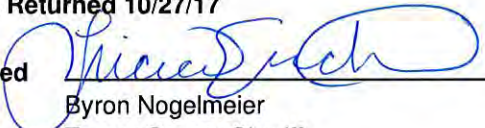
SHERIFF'S RETURN OF PERSONAL SERVICE

I, Byron Nogelmeier, Sheriff of Turner County, South Dakota, hereby certify that on the **27th day of October, 2017, a Subpoena to Testify at a Deposition in a Civil Action; Exhibit A; Check #4256 for \$85.00 for witness fee & mileage**, in the above entitled action, came into my hand for service. That on the **27th day of October, 2017 at 1:43 PM**, in said county, **I did serve the documents on CHAD HOFER**. By then and there delivering to and leaving with: **HOFER, CHAD (personally) at 400 S Main Ave, Parker, SD 57053**

Item	Disburse To	Amount Owed	Amount Paid
Civil papers/Subpoena Fee	TURNER COUNTY TREASURER	\$20.00	\$0.00
		Total Owed	\$20.00
		Total Paid	\$0.00
		Uncollectible	\$0.00
		Remaining	\$20.00

Invoice # 17-02275
 REED ZARS; ATTORNEY AT LAW
 910 Kearney St, Laramie, WY 82070

Comments**Date Returned 10/27/17****Signed**


 Byron Nogelmeier
 Turner County Sheriff
 By: Deputy Tricia Erickson
 400 S Main Ave
 PO Box 580
 Parker, SD 57053
 Phone: (605) 297-3225
 Fax: (605) 297-3871

Date10.27.17

Office of the Turner County Sheriff

Invoice

Printed on October 27, 2017

Please remit payment to the address below.

Billed To REED ZARS; ATTORNEY AT LAW
910 Kearney St
Laramie, WY 82070

Please Remit Payment To:
Turner County Sheriff
PO Box 580
Parker, SD 57053

Reference Civil Papers C17-00702; Serve On: HOFER, CHAD
Return # 6601
Invoice # 17-02275
Invoice Date 10/27/17
Due Date 11/26/17

Item	Disburse To	Amount Owed	Amount Paid
Civil papers/Subpoena Fee	TURNER COUNTY TREASURER	\$20.00	\$0.00
		Total Owed	\$20.00
		Total Paid	\$0.00
		Uncollectible	\$0.00
		Remaining	\$20.00

Comments

Turner County Sheriff's Office
400 S Main Ave
PO Box 580
Parker, SD 57053
Phone: (605) 297-3225
Fax: (605) 297-3871

Valleywide Process Service
14215 N. 20th Way
Phoenix, AZ 85022
(602) 262-2555

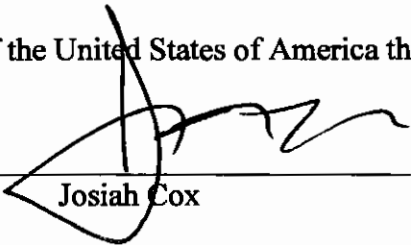
UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF UTAH

UTAH PHYSICIANS FOR A HEALTHY ENVIRONMENT,)	Case No: 2:17-cv-00032-RJS
)	
)	Production Date: Between 10/12-26, 2017
Plaintiff,)	DECLARATION OF DELIVERY BY
vs.)	PRIVATE PROCESS SERVER
DIESEL POWER GEAR LLC, ET. AL.,)	
)	
Defendant.)	

Josiah Cox upon his oath and personal knowledge states as follows:

- 1. I am over twenty one years of age, suffer no legal disabilities and I am licensed in Maricopa County as a private process server;
- 2. On October 13, 2017 at 4:10 p.m. I delivered to CHEYENNE LORD at 2301 E. Yeager Dr Ste #2 in Chandler, Arizona the Subpoena to Produce Documents, Information or Objects, or Permit Inspection of Premises in a Civil Action; Federal Rules of Civil Procedure; Exhibit filed with/issued by this Honorable Court in this matter by delivery to Lisa Vaughn, employee, stated authorized to accept for Cheyenne Lord;
- 3. Lisa Vaughn: C, F, blonde, 40's, 5'3", full figured;
- 4. The fee for this service was \$100.00.

I swear under penalty of perjury pursuant to the laws of the United States of America this 14th day of October, 2017 that the foregoing is true and correct.



Josiah Cox

Valleywide Process Service
14215 N. 20th Way
Phoenix, AZ 85022
(602) 262-2555

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF UTAH

UTAH PHYSICIANS FOR A HEALTHY)	Case No: 2:17-cv-00032-RJS
ENVIRONMENT,)	
)	
Plaintiff,)	Production Date: Between 10/12-17, 2017
vs.)	DECLARATION OF DELIVERY BY
)	PRIVATE PROCESS SERVER
DIESEL POWER GEAR LLC, ET. AL.,)	
)	
Defendant.)	

Jack Cox upon his oath and personal knowledge states as follows:

- 1. I am over twenty one years of age, suffer no legal disabilities and I am licensed in Maricopa County as a private process server;
- 2. On October 9, 2017 at 4:15 p.m. I attempted/caused to be attempted to CHEYENNE LORD at 2301 E. Yeager Dr in Chandler, Arizona the Subpoena to Produce Documents, Information or Objects, or Permit Inspection of Premises in a Civil Action; Federal Rules of Civil Procedure; Exhibit filed with/issued by this Honorable Court in this matter and was unable to effect service;
- 3. 2301 is one building in an industrial complex;
- 4. It has 14 different suites/offices/warehouse locations therein;
- 5. No suite number provided;
- 6. The fee for this service was \$50.00.

I swear under penalty of perjury pursuant to the laws of the United States of America this 11th day of October, 2017 that the foregoing is true and correct.



Jack Cox



CONSTABLE'S RETURN

Docket #: **585837**

Reference #: **585837**

Utah Physicians for a Healthy Environment, Inc. VS Joshua Stuart
Case # **2:17CV00032-BCW**

I, Orson Madsen

being first duly sworn on oath and say: I am a duly appointed Deputy Constable, Salt Lake County, State of Utah, a citizen of the United States, over the age of 21 years at the time of service herein, and not part of or interested in the within action.

I received the within and hereto annexed,

Summons & Complaint & Electronic Disk (Exhibits)

on **Jan 10, 2017**, and served the same upon

Joshua Stuart

a within named **Defendant** in said article(s) by serving a true copy of said article(s) for the Defendant with

Joshua Stuart (Personally)

a person of suitable age and discretion at

1955 South 1800 West, Woods Cross, UT 84087

the usual place of business.

In accordance with Utah Code 78B-5-705, I declare under criminal penalty of the State of Utah that the foregoing is true and correct. I further certify that at the time of service of the said article(s), I endorsed the date and place of service and added my name and official title thereto.

Served on **Jan 23, 2017** at **9:30 AM**.

A handwritten signature in black ink, appearing to read "R. Reitz", is written over a horizontal line.

Deputy Constable

SL 802

Robert J. Reitz, Salt Lake County Constable
7026 South Commerce Park Drive #101
Midvale, UT 84047 (801) 255-5468

TOTAL CHARGES: \$72.00

NOTES

Also attempted service at the residence, 1130 Northern Hills Drive, Bountiful, however, defendant was out of town.



CONSTABLE'S RETURN

Docket #: **585840**

Reference #: **585840**

Utah Physicians for a Healthy Environment, Inc. VS David Kiley

Case # **2:17CV00032-BCW**

I, Orson Madsen

being first duly sworn on oath and say: I am a duly appointed Deputy Constable, Salt Lake County, State of Utah, a citizen of the United States, over the age of 21 years at the time of service herein, and not part of or interested in the within action.

I received the within and hereto annexed,

Summons & Complaint & Electronic Disk (Exhibits)

on **Jan 10, 2017**, and served the same upon

David Kiley

a within named **Defendant** in said article(s) by serving a true copy of said article(s) for the Defendant with

David Kiley (Personally)

a person of suitable age and discretion at

1955 South 1800 West, Woods Cross, UT 84087

the usual place of business.

In accordance with Utah Code 78B-5-705, I declare under criminal penalty of the State of Utah that the foregoing is true and correct. I further certify that at the time of service of the said article(s), I endorsed the date and place of service and added my name and official title thereto.

Served on **Jan 19, 2017** at **1:22 PM**.

A handwritten signature in black ink, appearing to read "R. Reitz", is written over a horizontal line.

Deputy Constable

SL 802

Robert J. Reitz, Salt Lake County Constable

7026 South Commerce Park Drive #101

Midvale, UT 84047 (801) 255-5468

TOTAL CHARGES: \$60.00

NOTES

Defendant had not been at the business; tried to catch him at 1262 North Compton Road, Farmington, but David does not live there, it is a relative's residence.



CONSTABLE'S RETURN

Docket #: **585835**

Reference #: **585835**

Utah Physicians for a Healthy Environment, Inc. VS Sparks Motors LLC

Case # **2:17-cv-00032-BCW**

I, Orson Madsen

being first duly sworn on oath and say: I am a duly appointed Deputy Constable, Salt Lake County, State of Utah, a citizen of the United States, over the age of 21 years at the time of service herein, and not part of or interested in the within action.

I received the within and hereto annexed,

Summons & Complaint & Electronic Disk (Exhibit's)

on **Jan 10, 2017**, and served the same upon

Sparks Motors LLC

a within named **Defendant** in said article(s) by serving a true copy of said article(s) for the Defendant with

David Sparks (Registered Agent)

a person of suitable age and discretion at

1955 South 1800 West, Woods Cross, UT 84087

the usual place of business.

In accordance with Utah Code 78B-5-705, I declare under criminal penalty of the State of Utah that the foregoing is true and correct. I further certify that at the time of service of the said article(s), I endorsed the date and place of service and added my name and official title thereto.

Served on **Jan 13, 2017** at **10:50 AM**.

A handwritten signature in black ink, appearing to read "R. Reitz", is written over a horizontal line.

Deputy Constable

SL 802

Robert J. Reitz, Salt Lake County Constable

7026 South Commerce Park Drive #101

Midvale, UT 84047 (801) 255-5468

TOTAL CHARGES: \$20.00

NOTES



CONSTABLE'S RETURN

Docket #: **585838**

Reference #: **585838**

Utah Physicians for a Healthy Environment, Inc. VS Mark Keaton Hoskins

Case # **2:17-cv-00032-BCW**

I, Orson Madsen

being first duly sworn on oath and say: I am a duly appointed Deputy Constable, Salt Lake County, State of Utah, a citizen of the United States, over the age of 21 years at the time of service herein, and not part of or interested in the within action.

I received the within and hereto annexed,

Summons & Complaint & Electronic Disk (Exhibit's)

on **Jan 10, 2017**, and served the same upon

Mark Keaton Hoskins

a within named **Defendant** in said article(s) by serving a true copy of said article(s) for the Defendant with

Mark Keaton Hoskins (Personally)

a person of suitable age and discretion at

1955 South 1800 West, Woods Cross, UT 84087

the usual place of business.

In accordance with Utah Code 78B-5-705, I declare under criminal penalty of the State of Utah that the foregoing is true and correct. I further certify that at the time of service of the said article(s), I endorsed the date and place of service and added my name and official title thereto.

Served on **Jan 13, 2017** at **10:50 AM**.

A handwritten signature in black ink, appearing to read "R. Reitz", is written over a horizontal line.

Deputy Constable

SL 802

Robert J. Reitz, Salt Lake County Constable

7026 South Commerce Park Drive #101

Midvale, UT 84047 (801) 255-5468

TOTAL CHARGES: \$60.00

NOTES



CONSTABLE'S RETURN

Docket #: **585833**

Reference #: **585833**

Utah Physicians for a Healthy Environment, Inc. VS Diesel Power Gear LLC

Case # **2:17-cv-00032-BCW**

I, Orson Madsen

being first duly sworn on oath and say: I am a duly appointed Deputy Constable, Salt Lake County, State of Utah, a citizen of the United States, over the age of 21 years at the time of service herein, and not part of or interested in the within action.

I received the within and hereto annexed,

Summons & Complaint & Electronic Disk (Exhibit's)

on **Jan 10, 2017**, and served the same upon

Diesel Power Gear LLC

a within named **Defendant** in said article(s) by serving a true copy of said article(s) for the Defendant with

David Sparks (Registered Agent)

a person of suitable age and discretion at

1955 South 1800 West, Woods Cross, UT 84087

the usual place of business.

In accordance with Utah Code 78B-5-705, I declare under criminal penalty of the State of Utah that the foregoing is true and correct. I further certify that at the time of service of the said article(s), I endorsed the date and place of service and added my name and official title thereto.

Served on **Jan 13, 2017** at **10:50 AM**.

A handwritten signature in black ink, appearing to read "R. Reitz", is written over a horizontal line.

Deputy Constable

SL 802

Robert J. Reitz, Salt Lake County Constable

7026 South Commerce Park Drive #101

Midvale, UT 84047 (801) 255-5468

TOTAL CHARGES: \$20.00

NOTES



CONSTABLE'S RETURN

Docket #: **585836**

Reference #: **585836**

Utah Physicians for a Healthy Environment, Inc. VS David Sparks

Case # **2:17-cv-00032-BCW**

I, Orson Madsen

being first duly sworn on oath and say: I am a duly appointed Deputy Constable, Salt Lake County, State of Utah, a citizen of the United States, over the age of 21 years at the time of service herein, and not part of or interested in the within action.

I received the within and hereto annexed,

Summons & Complaint & Electronic Disk (Exhibit's)

on **Jan 10, 2017**, and served the same upon

David Sparks

a within named **Defendant** in said article(s) by serving a true copy of said article(s) for the Defendant with

David Sparks (Personally)

a person of suitable age and discretion at

1955 South 1800 West, Woods Cross, UT 84087

the usual place of business.

In accordance with Utah Code 78B-5-705, I declare under criminal penalty of the State of Utah that the foregoing is true and correct. I further certify that at the time of service of the said article(s), I endorsed the date and place of service and added my name and official title thereto.

Served on **Jan 13, 2017** at **10:50 AM**.

A handwritten signature in black ink, appearing to read "R. Reitz", is written over a horizontal line.

Deputy Constable

SL 802

Robert J. Reitz, Salt Lake County Constable

7026 South Commerce Park Drive #101

Midvale, UT 84047 (801) 255-5468

TOTAL CHARGES: \$20.00

NOTES



CONSTABLE'S RETURN

Docket #: **585834**

Reference #: **585834**

Utah Physicians for a Healthy Environment, Inc. VS 4X4 Anything LLC

Case # **2:17-cv-00032-BCW**

I, Orson Madsen

being first duly sworn on oath and say: I am a duly appointed Deputy Constable, Salt Lake County, State of Utah, a citizen of the United States, over the age of 21 years at the time of service herein, and not part of or interested in the within action.

I received the within and hereto annexed,

Summons & Complaint & Electronic Disk (Exhibit's)

on **Jan 10, 2017**, and served the same upon

4X4 Anything LLC

a within named **Defendant** in said article(s) by serving a true copy of said article(s) for the Defendant with

David Sparks (Registered Agent)

a person of suitable age and discretion at

1955 South 1800 West, Woods Cross, UT 84087

the usual place of business.

In accordance with Utah Code 78B-5-705, I declare under criminal penalty of the State of Utah that the foregoing is true and correct. I further certify that at the time of service of the said article(s), I endorsed the date and place of service and added my name and official title thereto.

Served on **Jan 13, 2017** at **10:50 AM**.

A handwritten signature in black ink, appearing to read "R. Reitz", is written over a horizontal line.

Deputy Constable

SL 802

Robert J. Reitz, Salt Lake County Constable

7026 South Commerce Park Drive #101

Midvale, UT 84047 (801) 255-5468

TOTAL CHARGES: \$20.00

NOTES



CONSTABLE'S RETURN

Docket #: **585839**

Reference #: **585839**

Utah Physicians for a Healthy Environment, Inc. VS DIESELSellerz.com LLC

Case # **2:17CV00032-BCW**

I, Orson Madsen

being first duly sworn on oath and say: I am a duly appointed Deputy Constable, Salt Lake County, State of Utah, a citizen of the United States, over the age of 21 years at the time of service herein, and not part of or interested in the within action.

I received the within and hereto annexed,

Summons & Complaint & Electronic Disk (Exhibit's)

on **Jan 10, 2017**, and served the same upon

DIESELSellerz.com LLC

a within named **Defendant** in said article(s) by serving a true copy of said article(s) for the Defendant with

Cannon Law Group, PLLC (Registered Agent)

a person of suitable age and discretion at

53 South 600 East, Salt Lake City, UT 84102

the usual place of business.

In accordance with Utah Code 78B-5-705, I declare under criminal penalty of the State of Utah that the foregoing is true and correct. I further certify that at the time of service of the said article(s), I endorsed the date and place of service and added my name and official title thereto.

Served on **Jan 11, 2017 at 2:22 PM.**

A handwritten signature in black ink, appearing to read "R. Reitz", is written over a horizontal line.

Deputy Constable

SL 802

Robert J. Reitz, Salt Lake County Constable

7026 South Commerce Park Drive #101

Midvale, UT 84047 (801) 255-5468

TOTAL CHARGES: \$47.50

NOTES

Served Pace Johnson, Attorney for Cannon Law Group, PLLC, Registered Agent for DIESELSellerz.com LLC.

Fees of the Clerk

Item	Date	Amount
Complaint filing fee	1/10/2017	400.00
Pro Hac Vice fee Zars	1/10/2017	250.00
Pro Hac Vice fee Hayes	9/25/2019	250.00
TOTAL		\$900.00

09/25/2019	<u>134</u>	<p>Case 2:17-cv-00032-RJS Document 228 Filed 10/21/20 PageID.5851 Page 47 of 55</p> <p>Plaintiff's MOTION for Admission Pro Hac Vice of George Hays , Registration fee \$ 250, receipt number 1088-3380372, filed by Plaintiff Utah Physicians for a Healthy Environment. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Appendix ECF Registration Form)(Zars, Reed) (Entered: 09/25/2019)</p>
09/26/2019	<u>135</u>	<p>ORDER granting <u>134</u> Motion for Admission Pro Hac Vice of George E. Hays for Utah Physicians for a Healthy Environment.</p> <p><i>Attorneys admitted Pro Hac Vice may download a copy of the District of Utahs local rules from the courts web site at http://www.utd.uscourts.gov</i></p> <p>Signed by Judge Robert J. Shelby on 9/25/19. (dla) (Entered: 09/26/2019)</p>
09/26/2019	<u>136</u>	NOTICE OF ENTRY OF ORDER GRANTING <u>135</u> Entry of Order Granting Admission Pro Hac Vice of Plaintiff

From: Meghan Dutton meghan@megduttonlaw.com
Subject: FW: Pay.gov Payment Confirmation: UTD CM ECF
Date: January 10, 2017 at 10:36 AM
To: Reed Zars reed@zarslaw.com

MD

-----Original Message-----

From: paygovadmin@mail.doc.twai.gov
[mailto:paygovadmin@mail.doc.twai.gov]
Sent: Tuesday, January 10, 2017 10:33 AM
To: reed@zarslaw.com; Meghan Dutton <meghan@megduttonlaw.com>
Subject: Pay.gov Payment Confirmation: UTD CM ECF

Your payment has been submitted to Pay.gov and the details are below. If you have any questions or you wish to cancel this payment, please contact Robert Janzen at (801) 524-6105.

Application Name: UTD CM ECF
Pay.gov Tracking ID: 2600ULA9
Agency Tracking ID: 1088-2672148
Transaction Type: Sale
Transaction Date: Jan 10, 2017 12:32:45 PM

Account Holder Name: Reed Zars
Transaction Amount: \$400.00
Card Type: Visa
Card Number: *****7665

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT REPLY.

From: Meghan Dutton meghan@megduttonlaw.com
Subject: FW: Pay.gov Payment Confirmation: UTD CM ECF
Date: January 10, 2017 at 10:53 AM
To: Reed Zars reed@zarslaw.com

MD

-----Original Message-----

From: paygovadmin@mail.doc.twai.gov
[mailto:paygovadmin@mail.doc.twai.gov]
Sent: Tuesday, January 10, 2017 10:51 AM
To: reed@zarslaw.com; Meghan Dutton <meghan@megduttonlaw.com>
Subject: Pay.gov Payment Confirmation: UTD CM ECF

Your payment has been submitted to Pay.gov and the details are below. If you have any questions or you wish to cancel this payment, please contact Robert Janzen at (801) 524-6105.

Application Name: UTD CM ECF
Pay.gov Tracking ID: 2600UQAP
Agency Tracking ID: 1088-2672346
Transaction Type: Sale
Transaction Date: Jan 10, 2017 12:50:33 PM

Account Holder Name: Reed Zars
Transaction Amount: \$250.00
Card Type: Visa
Card Number: *****7665

THIS IS AN AUTOMATED MESSAGE. PLEASE DO NOT REPLY.

Copy costs

Item	Date	Amount
Copies of complaint and summonses	1/10/2017	154.03
Copy Center – Trial exhibit copies	11/2/2019	213.59
TOTAL		\$367.62

UW COPY CENTER
1000 E UNIVERSITY DEPT 3105
LARAMIE, WY. 82071
307-766-3890

Sale

XXXXXXXXXXXX7665

VISA

Entry Method: Chip

Total: \$

213.59

11/02/19

14:00:36

Inv #: 000000001

Appr Code: 01081C

Apprvd: Online

CHASE VISA

AID: A0000000031010

TVR: 00 80 00 80 00

TSI: E8 00

Customer Copy

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292X @0.40

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CREDIT CARD \$213.59

* ORDER# 0176 *

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Team Member: Brandi R.

SALE

CLR 1S Copy/Print	20 @	0.6500 T
000173 Reg. Price	0.65	
BW 1S on 24# Wht	70 @	0.1400 T
000330 Reg. Price	0.14	
CLR 1S Copy/Print	20 @	0.6500 T
000173 Reg. Price	0.65	
BW 1S on 24# Wht	12 @	0.1400 T
000330 Reg. Price	0.14	
BW 1S on 24# Wht	6 @	0.1400 T
000330 Reg. Price	0.14	
CLR 1S Copy/Print	2 @	0.6500 T
000173 Reg. Price	0.65	
CLR 1S Copy/Print	4 @	0.6500 T
000173 Reg. Price	0.65	
BW 1S on 24# Wht	16 @	0.1400 T
000330 Reg. Price	0.14	
CLR 1S Copy/Print	6 @	0.6500 T
000173 Reg. Price	0.65	
BW 1S on 24# Wht	4 @	0.1400 T
000330 Reg. Price	0.14	
BW 1S on 24# Wht	118 @	0.1300 T
000330 Reg. Price	0.14	
CLR 1S Copy/Print	80 @	0.6500 T
000173 Reg. Price	0.65	
BW 1S on 24# Wht	2 @	0.1400 T
000330 Reg. Price	0.14	
CLR 1S Copy/Print	6 @	0.6500 T
000173 Reg. Price	0.65	
BW 1S on 24# Wht	2 @	0.1400 T
000330 Reg. Price	0.14	
CLR 1S Copy/Print	34 @	0.6500 T
000173 Reg. Price	0.65	
BW 1S on 24# Wht	4 @	0.1400 T
000330 Reg. Price	0.14	

Regular Total 144.56
Discounts 1.18

Total 143.38

Sub Total 143.38
Tax 8.60
Deposit 0.00

Total 151.98

Visa (S) 151.98

Account: 7665

Auth: 09746C (A)

Total Tender 151.98

Change Due 0.00

Total Discounts 1.18



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19 E 200 S
Salt Lake City, UT 84111-1905
Tel: (801) 533-9444

1/10/2017 1:17:04 PM MST
Team Member: Marina M.

SALE

BW 1S Copy/Print	16 @	0.1200 T
000001 Reg. Price	0.12	

Regular Total	1.92
Discounts	0.00

Total	1.92
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Sub-Total	1.92
Tax	0.13
Deposit	0.00

Total	2.05
--------------	-------------

Cash	5.05
------	------

Total Tender	5.05
Change Due	(3.00)